IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.43714 of 2008
1. SANJAY SINGH, S/o Bishwanath Singh
2. Vijay Bahadur Singh, S/o late Parikha Singh
both R/o Vill. Bahera, P.S. Sonhan, Dist. Kaimur at Bhabua.
Versus
STATE OF BIHAR

2/ 15.12.2008 Heard.

Petitioner no. 1 is the brother of Surendra Singh, who allegedly committed rape. At the time when rape was being committed, petitioner no.1 as well as petitioner no.2 were present. Petitioner no.2 is the uncle of the petitioner no.1. According to the complaint, rape was completed on the threat of pistol. The list of witnesses given in the complaint does not suggest that any Doctor was to give evidence in support of the complaint. A raped victim, it is surprising, was not rushed to a Doctor immediately. The complaint also does not suggest any such step had been taken.

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In the circumstances, the application of the petitioners for grant of anticipatory bail is allowed. Let the above named petitioners, in the event of arrest or surrender within six weeks from today, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of S.D.J.M., Kaimur (Bhabua) in connection with Complaint

Case No. 598 of 2007 (Tr. No. 1633 of 2008) subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

S.B.P. **(Barin Ghosh, J.)**

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